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March 1, 2008

Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street SW
Washington DC 20554

RE: Annual CPNI Certification; EB Docket No. 06-36

Dear Secretary Dortch:

Pursuant to Section 64.20009(e) of the Commission's rules and the Public Notice dated January 29, 2008, Covad Communications hereby submits its annual CPNI certification.

Please contact me at (202) 220-0409 or Angela.Simpson@covad.com with any questions regarding this filing.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Angela Simpson".

Angela Simpson
Director – Government Affairs

Summary Statement of CPNI Policies

Covad Communications (“Covad”) has established practices and procedures to ensure that it protects the privacy of its customers’ information and to ensure that it is in compliance with Section 222 of the Communications Act and the Commission’s Customer Proprietary Network Information (“CPNI”) rules.

Covad does not regularly use CPNI in marketing its products, nor does it routinely make its CPNI available to third parties whether agents or contractors. With regard to the use of CPNI for Covad’s own customers, Covad has programs in place to ensure that the use, disclosure, or access to CPNI by Covad employees, affiliates, agents, joint venture partners, or other third parties is in accordance with the Commission’s rules.

Because its business is heavily wholesale, CPNI of the customers of Covad’s wholesale partners is sometimes stored in Covad’s Operational Support Systems. When this occurs, Covad has a comprehensive security system in place to ensure that only Covad’s wholesale partners are able to access their customer CPNI in Covad’s systems. Further, this CPNI is routinely and regularly purged from Covad’s systems when it is no longer needed.

The following is a summary of Covad’s policies and procedures related to protection of customer information:

- **Access Limitation:** Covad limits access to customer information and prohibits access to CPNI by unauthorized employees or other entities subject to disciplinary action. Employees are held to non-disclosure obligations. Covad requires that the CPNI only be used for the purpose it was provided and prohibits disclosure to any other party, unless required by force of law.
- **Training Programs:** Covad conducts training to ensure that employees, affiliates, agents, joint venture partners, and other third parties with access to CPNI adequately protect such information in accordance with the Commission’s rules.
- **Legal Review Process:** Covad’s Legal Department reviews sales and marketing campaigns before they are implemented to ensure compliance with the Commission’s CPNI rules.
- **Record Retention:** Records of sales and marketing campaigns utilizing CPNI are maintained for at least one calendar year.
- **Collection and Maintenance of Customer Notifications/Approvals:** In any situation where either opt-in or opt-out customer approval for the use of CPNI becomes necessary, Covad will obtain appropriate customer approval depending on the situation prior to use of that CPNI and will retain records of such approvals for at least one calendar year. In such circumstances, customers are notified of their right, and our duty, under federal law to protect the confidentiality of CPNI

and of their right to restrict use of, disclosure of, and access to their CPNI. Covad has a system to allow its employees, affiliates, agents, joint venture partners, and independent contractors to determine the status of customer's approval to use its CPNI. Under the Commission's rules, Covad is not required to obtain customer consent to use CPNI in all circumstances.

- **Confidentiality:** Covad does not routinely use CPNI in its marketing programs or otherwise. To the extent that the use of CPNI becomes necessary, Covad takes steps to ensure that CPNI received by its agents, affiliates, joint venture partners, and independent contractors is used properly. Covad requires that the CPNI only be used for the purpose it was provided and prohibits disclosure to any other party, unless required by force of law.
- **Customer CPNI Restrictions:** Covad maintains a system to allow customers to restrict the use of their CPNI to the extent use of their CPNI is restricted pursuant to the Commission's rules.
- **Reporting Opt-Out Failures:** Covad will notify the Commission by letter within five business days if its opt-out mechanism does not work properly.
- **Avoidance of Pretexting:** Covad has in place customer authentication and security verification procedures to ensure that changes to service may only be made by and customer account information is only provided to bona fide customers and notice of any account changes is provided to customers.
- **Notification of CPNI Breaches:** In accordance with the Commission's rules, Covad has in place a system to notify the federal government and customers of breaches of CPNI security. Records related to any such breaches will be kept for at least two years.

Annual 47 C.F.R. § 64.2009(e) CPNI Certification
EB Docket 06-36

Annual 64.2009(e) CPNI Certification for 2007

Date filed: March 1, 2008

Name of company covered by this certification: Covad Communications Group, Inc.

Form 499 Filer ID: 822052

Name of signatory: Doug Carlen

Title of signatory: Senior Vice President and General Counsel

I, Doug Carlen, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. *See 47 C.F.R. § 64.2001 et seq.*¹

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken any actions (proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year. Companies must report on any information that they have with respect to the processes pretexters are using to attempt to access CPNI, and what steps companies are taking to protect CPNI.

The company has not received any customer complaints in the past year concerning the unauthorized release of CPNI.

Signed



Doug Carlen

Senior Vice President and General Counsel

Covad Communications Group, Inc.

¹ Although not codified in its rules, the Commission's *Report and Order* provided an additional six months to implement the new rules pertaining to the online carrier authentication requirements for carriers satisfying the definition of a "small entity" or a "small business concern" under the Regulatory Flexibility Act or Small Business Act. Covad is such an entity and plans to be compliant with the aforementioned rules by June 2008. *See Implementation of the Telecommunications Act of 1996: Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information, Report and Order and Further Notice of Proposed Rulemaking*, 22 FCC Rcd 6927 ¶61 (2007).